

PTO/SB/21 (09-06)

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FORM**

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Total Number of Pages in This Submission

Application Number 10/591,371

Filing Date 09/01/2006

First Named Inventor RUSSWURM

Art Unit 1623

Examiner Name Unassigned

Attorney Docket Number 3535-022

**ENCLOSURES (Check all that apply)**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Akerman Senterfitt / Customer No. 30448 |          |        |
| Signature    | <i>Nicholas J. Landau</i>               |          |        |
| Printed name | Nicholas J. Landau                      |          |        |
| Date         | 12/01/2006                              | Reg. No. | 57,120 |

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| Typed or printed name | Nicholas J. Landau        | Date | 12/01/06 |

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of RUSSWURM, *et al.*

Confirmation No. 7019

Application No. 10/591,371

Examiner: Unassigned

Filed: September 1, 2006

Group Art Unit: 1623

Attorney Docket No. 3535-022

For: METHOD FOR THE IDENTIFICATION OF SEPSIS

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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Nicholas J. Landau Reg. No. 57,120  
Nicholas J. Landau, Ph.D.

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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent Office of the documents which are listed on the attached Forms PTO/SB/08B.

Applicants submit that the present invention is patentable over the cited references and submission of the listed documents is not intended as an admission that such documents constitute prior art against the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed documents as competent references against the present application. The references were cited in the specification of the present application. Insofar as the references are relevant, their relevance is explained in the Specification.

{WP353384;1}

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of forms PTO/SB/08B be returned in accordance with MPEP §609.


Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 C.F.R. 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: December 1, 2006

  
Nicholas J. Landau, Ph.D.  
Reg. No. 57,120  
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Docket No. 3535-022

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|  |      | Application Number       | 10/591,371 |
|  |      | Filing Date              | 09/01/2006 |
|  |      | First Named Inventor     | RUSSWURM   |
|  |      | Art Unit                 | 1623       |
|  |      | Examiner Name            | Unassigned |
| Sheet 1  | of 5 | Attorney Docket Number   | 3535-022   |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
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|                                 |                       | ABRAHAM, et al., "Lenercept (p55 tumor necrosis factor receptor fusion protein) in severe sepsis and early septic shock: A random...", Crit Care Med 29(3): 503-510 (2001).   |                |
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|  |                        | Art Unit                 | 1623       |
|  |                        | Examiner Name            | Unassigned |
| Sheet 2 of 5   | Attorney Docket Number | 3535-022                 |            |

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|                                 |                       | BRUN-BUISSON, et al., "Incidence, Risk Factors, and Outcome of Severe Sepsis and Septic Shock in Adults", JAMA 274(12): 968-974 (1995).   |                |
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| Sheet 3 of 5   | Attorney Docket Number | 3535-022                 |            |

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| Sheet 4   | of 5 | Attorney Docket Number   | 3535-022   |

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|                                 |                       | PITTET, et al., "Impact of Immunomodulating Therapy on Morbidity in Patients with Severe Sepsis", Am J Respir Crit Care Med 160: 852-857 (1999).  |                |
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|                                 |                       | ZHAO, et al., "Human endothelial cell reponse to gram-negative lipopolysaccharide assessed with cDNA microarrays", Am J Physiol Cell Physiol, 281: C1587-C1595 (2001).  |                |
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